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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/755,725 | 01/05/2001 | Robert E. Sobol | 10003856-1 | 5166 |

7590

03/27/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WALLACE, SCOTT A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2671

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DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,715

Applicant(s)

SOBOL, ROBERT E.

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Bollman et al., U.S. Patent No. 5,978,519.

3. As per claims 1, 9 and 16, Bollman et al discloses a system for automatically cropping graphical images (column 1 lines 4-6), comprising: memory for storing digital data that defines a graphical image (column 2 lines 55-65); an object detector configured to analyze said digital data and to automatically identify a portion of said digital data that defines an image of an object within said graphical image (column 1 lines 16-23); and an image cropper configured to automatically crop said digital data based on a position of said object image within said graphical image (column 1 lines 16-23), said image cropper configured to determine said position of said object image within said graphical image based on said portion automatically identified by said object detector (column 1 lines 16-23).

4. As per claims 2, 10 and 17, Bollman et al discloses wherein said object image is an image of a person's face, and wherein said object detector is configured to search said digital data for portions that define facial images (column 1 lines 44-50).

5. As per claims 3, 11 and 18, Bollman et al discloses wherein said image cropper is configured to crop said digital data based on a size of said object image (column 1 lines 16-23).

6. As per claims 4, 12 and 19, Bollman et al discloses wherein said image cropper is configured to crop said digital data based on said position of said object image such that said object image is substantially centered between two edges of said graphical image (fig. 3c).

7. As per claims 5, 13 and 20, Bollman et al discloses wherein said image cropper is configured to crop said digital data based on said position of said object image such that said portion is removed from said digital data that defines said graphical image (column 1 lines 16-23).

8. As per claims 6, 14 and 22, Bollman et al discloses an input device for receiving an input from a user; and a system manager configured to enable said image cropper based on said user input (column 1 lines 23-26).

9. As per claims 7 and 15, Bollman et al discloses an image capturing device configured to receive an image of a scene and to produce said digital data based on said image received by said image capturing device (column 2 lines 55-65).

10. As per claim 8, Bollman et al discloses wherein said image capturing device includes a lens for receiving said image of said scene and an image converter for producing said digital data based on said image of said scene (column 2 lines 55-65).

11. As per claim 21, Bollman et al discloses wherein said searching and cropping steps are automatically performed in response to said storing step (column 2 lines 55-65).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA,
Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be
directed to the Technology Center 2600 Customer Service Office whose telephone number is
(703) 306-0377.



MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600